



*Office of the United States Attorney
District of Arizona*

FOR IMMEDIATE RELEASE
Friday, October 12, 2007

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ARMED CAREER OFFENDER SENTENCED TO OVER 19 YEARS IN FEDERAL PRISON

TUCSON, Ariz. – Luis Enrique Garibay, 33, of Tucson, was sentenced here by U.S. District Judge Raner C. Collins to 235 months in federal prison. Garibay had been found guilty by a federal jury on August 30, 2006 of being a felon in possession of a firearm. During the sentencing hearing yesterday, Judge Collins found that Garibay had a long criminal history and therefore, denied the defendant's request to be sentenced to the minimum mandatory sentence of 15 years in prison.

Garibay had been arrested at his sister's house by U.S. Marshals on June 7, 2005 on two federal arrest warrants for violating the conditions of his supervised release in two previous cases. During that arrest, U.S. Marshals observed a handgun in plain view at the foot of the bed. A search of the area later revealed a magazine to the gun which contained 10 rounds of ammunition and a baggie of marijuana.

Garibay had been convicted of robbery on November 6, 1995 and of residential burglary in the second degree on January 5, 2006, both in Pima County Superior Court, Tucson, Ariz. He was convicted of conspiracy to distribute, and possession with intent to distribute, marijuana on February 4, 2002 in the U.S. District Court in Minnesota. Judge Collins noted that Garibay's criminal history began at age 16 and that he had six felony adult convictions by age 33. He sentenced Garibay to the maximum of 24 months for violating the terms and condition of supervised release in two federal cases and ran the sentences concurrent to the 235 month sentence for being a felon in possession of a firearm.

The investigation in this case was conducted by the U.S. Marshals Service and the Bureau of Alcohol, Tobacco, Firearms and Explosives. The prosecution was handled by Serra M. Tsethlikai and Angela Martinez, Assistant U.S. Attorneys, District of Arizona, Tucson, Ariz.

CASE NUMBER: CR-05-1419-TUC-RCC
RELEASE NUMBER: 2007-214(Garibay)

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